

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Rahul Manchanda,

Plaintiff,

-against-

Google, Yahoo, and Microsoft Bing,

Defendants.

No. 16-cv-3350 (JPO)(JCF)

**DEFENDANT MICROSOFT CORPORATION’S REQUEST FOR JUDICIAL NOTICE**

Pursuant to Federal Rule of Evidence 201, and in support of its concurrently filed Motion to Dismiss, Defendant Microsoft Corporation, respectfully requests that the Court take judicial notice of definitions of terms used by the parties in submissions to the Court, including the terms “URL,” “search engine,” and “organic search.” The definitions are taken from an online dictionary for information technology professionals and Wikipedia, an online encyclopedia.

Federal Rule of Evidence 201 provides that the Court may take judicial notice of facts that are not subject to reasonable dispute because they are generally known or can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned. Fed. R. Evid. 201(b). It is well-established that the rule allows the Court to take judicial notice of definitions contained in dictionaries and encyclopedias. *Osage Tribe of Indians of Oklahoma v. U.S.*, 95 Fed. Cl. 469, 473 (2010) (“Taking judicial notice of dictionaries and encyclopedias for definitions of terms used by parties and witnesses is a well-established practice”); *Azoplate Corp. v. Silverlith, Inc.*, 367 F. Supp. 711, 731 (D. Del. 1973) (taking judicial notice of definitions in standard chemical dictionaries).

Accordingly, pursuant to Federal Rule of Evidence 201(c)(2), Microsoft respectfully submits the following, and requests that the Court take judicial notice of the definitions contained therein:

1. Attached hereto as Exhibit 1 is a true and correct copy of the Web page listing the definition of “URL,” at <http://www.ripoffreport.com/reports/directory/rahul-manchanda>, last visited on June 13, 2016.

2. Attached hereto as Exhibit 2 is a true and correct copy of the Web page listing the definition of “search engine,” at [http://www.webopedia.com/TERM/S/search\\_engine.html](http://www.webopedia.com/TERM/S/search_engine.html), last visited on June 13, 2016

3. Attached hereto as Exhibit 3 is a true and correct copy of the Web page listing the definition and other information concerning the term “organic search,” located at [https://en.wikipedia.org/wiki/Organic\\_search](https://en.wikipedia.org/wiki/Organic_search), last visited on June 13, 2016.

4. Attached hereto as Exhibit 4 is a true and correct copy of the Web page listing the definition of “pay per click,” at <http://www.webopedia.com/TERM/P/PPC.html>, last visited on June 13, 2016.

Microsoft also joins the Request for Judicial Notice submitted by Defendant Yahoo, Inc. Dkt. No. 29-1.

DATED: New York, New York  
June 13, 2016

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